

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 93-251-T - ORDER NO. 94-475✓
MAY 23, 1994

IN RE: Request of William Seabrook, Jr. DBA) ORDER
Seabrook Transfer Company, 190 Gordon) GRANTING
Street, Charleston, S.C. 29403, for) RECONSIDERATION
Reconsideration of Order No. 94-285 and) AND APPROVING
for Approval of the Application for a) APPLICATION
Class E Certificate.)

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a request from William Seabrook, Jr. DBA Seabrook Transfer Company (the Applicant) that the Commission reconsider its Order No. 94-285, previously issued herein, whereby the Application was denied. The request was made on the grounds that the Applicant has now received a satisfactory safety rating. The Applicant's unsatisfactory safety rating was the basis for the Commission's denial of the Application.

This matter is also before the Commission by way of a Commission Staff (Staff) request to waive 26 S.C. Regs. 103-881(C)(Supp. 1993). 26 S.C. Regs. 103-881(C) requires the Commission to act on a petition for rehearing or reconsideration within thirty (30) days after such petition is filed. The failure of the Commission to act within this time period is deemed a denial of the petition. The Staff requests that the Commission waive this regulation and consider the Applicant's petition because the delay in reconsideration of this matter was not due to any failure of the

Applicant.

The Commission finds that good cause has been shown for waiving Reg. 103-881(C) and granting reconsideration. Based upon the receipt by the Applicant of a satisfactory safety rating, the Commission hereby grants the Application for a Class E Certificate of Public Convenience and Necessity to render motor freight service over irregular routes only, as follows:

HOUSEHOLD GOODS, AS DEFINED IN R.103-211(14): Between points and places within a 150 mile radius of Charleston, South Carolina, within South Carolina.

IT IS THEREFORE ORDERED:

1. That Commission Order No. 94-285, denying the Application herein be, and hereby is, reconsidered.

2. That the Application of William Seabrook DBA Seabrook Transfer Company is hereby granted.

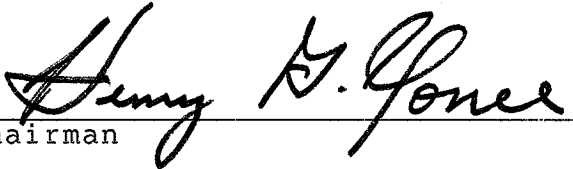
3. That the Applicant file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

4. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq (1976), as amended, and the applicable provisions of R.103-100 through R.103-280 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a certificate shall be issued to the Applicant authorizing the motor carrier services granted herein.

5. That prior to compliance with such requirements and receipt of a certificate, the motor carrier services authorized herein may not be provided.

6. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)